

# **Response to Question DCO 2.31**

**Application by ESSO Petroleum Company Ltd  
for an Order Granting Development Consent  
for the Southampton to London Pipeline  
Project**

**Application Reference EN070005**

**Interested Party Reference 20022787**

**Internal Reference 19/00432/PINS**



## Response to question DCO.2.31

*Potential Additional or Re-Worded Requirements*

### All Relevant Planning Authorities

In the event that the Outline LEMP and Outline CTMP, alongside the substantially updated Outline CEMP and CoCP to be submitted at D4 are not deemed sufficient particularly in dealing with the “hotspot” areas, the ExA will need to consider whether

a) the Order is capable of being made with existing Requirements in place or b) whether additional Requirements or amended wording to existing Requirements would be necessary.

When the D4 documents have been assessed, advise whether the SoS is capable of making the Order with the dDCO unamended, or whether additional and/or amended wording would be necessary. Provide this advice by D5, **Thursday 13 February 2020**.

RBC has reviewed the D4 documents and feel that additional and/or amended wording would still be necessary in relation to the following:-

#### 1. Habitats and Species Protection and Mitigation

RBC remains concerned regarding habitats and species and ask that the draft Requirement we submitted at D4 in response to question BIO.2.16 be included in the draft DCO, subject to the following amendment to ensure that habitats are included:

*Updated surveys will be undertaken on sites agreed with the relevant Local Authority*

- *Phase 2 Botanical surveys on any sites where the habitats have significantly changed since the original survey*
- *Bat potential climbing or emergence surveys on all trees assessed as having medium to high potential*
- *Breeding bird surveys in all sites which support natural habitats*
- *Reptile surveys on all sites containing heathland, grassland, scrub woodland or wetland*
- *Camera surveys for all areas where otter signs have been recorded*
- *Badger walkover surveys in areas containing grassland scrub or woodland*

*Mitigation strategies will be submitted as part of the Landscape and Ecological Management Plan for all habitats and species where a potential effect is identified*

## **2. Veteran and Notable Trees**

As submitted at D4 in response to question DCO.2.13, we remain concerned about the power that Part 6, Article 41 provides to cut roots of notable and veteran trees within QEP without consultation with the Local Authority (LA). The test in Article 41 is “reasonably believes it to be necessary to do so” which is a wide power and could mean that ancient and other notable trees are unnecessarily damaged or destroyed. RBC would like a Requirement to ensure that the relevant LA are consulted in advance, that an Arboriculture Method Statement is undertaken and that it is agreed with the relevant LA. Likewise in relation to Article 42.

## **3. Noise and Vibrations**

Our concerns raised at D4 in response to questions PC.2.1 and PC.2.2 remain. In addition, we have provided further comment in our response to D5 (attached).

Furthermore, RBC would welcome a Requirement to make provision to re-house any occupiers of a property where the noise or vibration levels exceed the limits outlined in our response to the Noise and Vibration Management plan (attached) for a period of more than 24 hours.

## **4. Contamination**

Our concerns raised previously regarding the prevention of contamination have not yet been addressed in the draft DCO. Therefore RBC considers there should be a Requirement for a Contamination and Remediation Strategy for any ‘hotspot’ areas identified.

Of particular concern to RBC, is the Frimley Bridge Blackwater SINC (identified on the attached map taken from the Applicants website - brown hatched area) which is known to be an historical undisturbed landfill site. Our understanding is that it has not yet been tested by the Applicant. In the absence of any proposal to direction drill under this area we feel that a Requirement to ensure the testing and prevention of contamination is required.

## **5. Other requirements needed/re-worded submitted**

We still remain of the view that amendments to the following draft Requirements are required:-

- Requirement 3 - Stages of Authorised Development (please see the wording proposed in response to DCO.2.15)
- Requirement 7 – Construction Traffic (please see paragraph 1.1.4 of our response to the CEMP, attached)
- Requirement 14 – Construction Hours (please see our response to DCO.2.24 and our comments on the CTMP attached). Please note that a new paragraph 14(3)(f) has been agreed with HCC and the Applicant, however we remain concerned about the rest of the draft Requirement for the reasons given previously.  
We also note that the terms ‘reasonably necessary’ and ‘exceptional basis’ are not defined and open to interpretation.
- Requirement 21 (previously 20) – Register of Requirements (please see the wording proposed in response to DCO.2.17)
- Requirement 22 (previously 21) – Applications made under Requirements and 24 (previously 23) – Further Information – there remains concerns about the feasibility of the time limits proposed. Please see our response to DCO.2.28.